

REMARKS

Claims 1-8 and 21-22 are pending and were rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,493,437 (“Olshansky”), US Published Patent Application 2003/0081752 (“Trandal et al.”) and US Published Patent Application 2002/0174345 (“Patel”). Applicants respectfully traverse the rejection as it may be applied to the claims presented herein, and submit that claims 1-8 and 21-22 are allowable in view of the amendments and arguments made herein.

Applicants acknowledge and thank Examiner West for the July 31, 2007 telephone interview, in which Applicants’ representative pointed out that the application discloses an authentication function which enables both a voice communication function and access to participate in a separate network-related function upon the same authentication. Applicants’ representative proposed an amendment to claim 1 which specified that computer terminal access or participation was to at least one network-related function *and a separate* voice communication function. Claims 1 and 3 were amended in the preamble to indicate that the network related function and the voice communication function are separate. Also, the means for enabling in claims 1 and 3 was amended to clarify that, responsive to the authenticating means, the computer terminal is enabled for both the voice communication function and the at least one function, and that the at least one function is not related to and does not depend upon participation by the computer terminal in the voice communication function.

As Applicant’s representative discussed during the interview, with respect to independent claims 1 and 3, Olshansky fails to disclose or suggest “a system for enabling use of a computer terminal in a network to access or otherwise participate in at least one network-related function and a *separate* voice communication function over the network” and also “means responsive to the authenticating means for enabling the computer terminal in the network to participate in the

voice communication function over the network at least from each computer terminal for which a sensed finger-image was authenticated and access over the network at least one function that is *not related to and* does not depend upon participation by the computer terminal in the voice communication function.” As previously argued, Olshansky discloses enablement of only one function, the telephone service including *related* billing and advertising, in response to authentication. Billing and advertising cannot occur without the voice communication function and, therefore, are not separate in contrast to claims 1 and 3. The disclosure missing from Olshansky is not present in Trandel et al. or Patel. Therefore, the combination of Olshansky, Trandel et al. and Patel does not render the invention claimed in claims 1 and 3 obvious, and claims 1 and 3 should be allowed.

With respect to claims 21 and 22, the Examiner agreed that there is support in the specification for enablement of voice communication only between terminals for which a sensed finger-image was authenticated. (*See, e.g.,* page 3, lines 5-11 of the application.) As discussed during the interview, in contrast, Olshansky discloses authentication of only the calling party and not also the called party. Also, neither Trandel et al. nor Patel discloses enablement of voice communication only between terminals for which a sensed finger-image was authenticated. Therefore, the combination of Olshansky, Trandel et al. and Patel does not render the invention claimed in claims 21 and 22 obvious, and claims 21 and 22 should be allowed.

Applicants submit that dependent claims 2-8 are allowable for at least the reasons presented above. Accordingly it is not believed necessary to delineate further distinctions over Olshansky and the prior art of record in those claims, but Applicants reserve the right to do so in this or any subsequent proceeding.

Closing:

For at least the reasons above, Applicants respectfully submit that all pending claims are allowable over Olshansky and the prior art of record. Reconsideration and allowance of the application are respectfully requested.

Respectfully Submitted

A handwritten signature in cursive script, appearing to read "Frank J. DeRosa", written in black ink.

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